

POLL TAX PAYMENTS HEAVY

Big Rush Throughout the State Today to Pay Up; Last Day.

Fort Worth, Tex., Jan. 31.—Advices received today from the larger cities of Texas show that there is a great rush to pay city, county and state poll taxes. Thousands waited until the last day before paying so the exact voting strength will not be down until tomorrow. The figures, however, indicate increases everywhere. San Angelo estimates that 98 percent of the assessments will be paid by tonight and poll taxes corresponding. Dallas so far leads the payments up to Saturday night, which follow: Dallas, 15,275; last year 17,902. Houston, 11,000; last year 11,357. Ft. Worth, 10,000; last year 14,000. Waco, 9,000; last year 9,000. Sherman 4,000; last year 11,802. Texarkana, 4,000; last year 3,400. San Angelo, 2,400; last year 2,000. This year's figures above do not include payments of taxes on the city, as every city reports thousands being paid. The total will in each instance likely exceed the previous year. It is expected that 3000 will pay taxes in Fort Worth today.

TO ASK MAXEY TO RESCIND ORDER

Water Users Will Send Attorney to Austin to See the Judge.

Phil Bargman, of the water consumers' committee, which was selected Friday night, said this morning: "The committee has engaged J. M. Goggin, M. W. Stanton and Patterson and Wallace to represent the consumers in this matter and it is my understanding that Judge Goggin will leave tonight for Austin. However, Judge Goggin said that he would not leave, as final arrangements have not as yet been made. It is the general understanding that a petition will be presented to Judge Maxey at Austin in an effort to have the order of the court here set aside relative to the minimum rate."

ARIZONA MAN SHOTS UP TOWN; KILLED

Jack Lane Meets Death at Payson and W. C. Colcord Surrenders.

Globe, Ariz., Jan. 31.—W. C. Colcord shot and instantly killed Jack Lane at Payson yesterday evening. Lane went to Payson drunk, it is charged, and began shooting up the town. He fired two or three shots at Colcord, it is said, all of which went wild. Colcord drew his revolver and shot Lane through the right lung, causing instant death. Colcord surrendered.

OKLAHOMA SAFE IS DYNAMITED; TOWN SHAKEN
Chickasha, Okla., Jan. 31.—Three dynamite men dynamited and robbed the safe of the Howard Mercantile, a title company at Chickasha, east of here, early this morning. They escaped with about \$1000 in cash and bank notes. The explosion awakened the citizens, and a posse was organized and started in pursuit soon afterwards.

PITTSBURG MILLIONAIRE COUPLE MAY BE RECONCILED
Pittsburg, Pa., Jan. 31.—With a maid and a drayload of trunks, Mrs. Genevieve Chandler Phipps arrived here from Denver Sunday and has taken temporary quarters at a hotel. Rumors are that Mrs. Phipps' arrival at this time is indicative of a reconciliation with her husband, Lawrence Phipps, who is also said to be in Pittsburg. Recently Mr. Phipps sold his beautiful mansion at the fashionable residence section of Pittsburg, saying he "was done with the city for good and all."

KANSAS COURT REVERSED IN PULLMAN TAX CASE
Washington, D. C., Jan. 31.—The supreme court of the United States today reversed the decision of the supreme court of Kansas in the Pullman case, holding that the so-called Bush act, taxing the company on its capitalization, was unconstitutional. The case was ordered remanded.

SENATOR CULBERSON IS GETTING SOME BETTER
Atlantic City, N. J., Jan. 31.—Senator Culbertson, of Texas, who came here some time ago for a rest following a nervous breakdown, continues to improve. Rumors have reached him that he intends resigning his seat in the senate, but he says there is no truth to the reports.

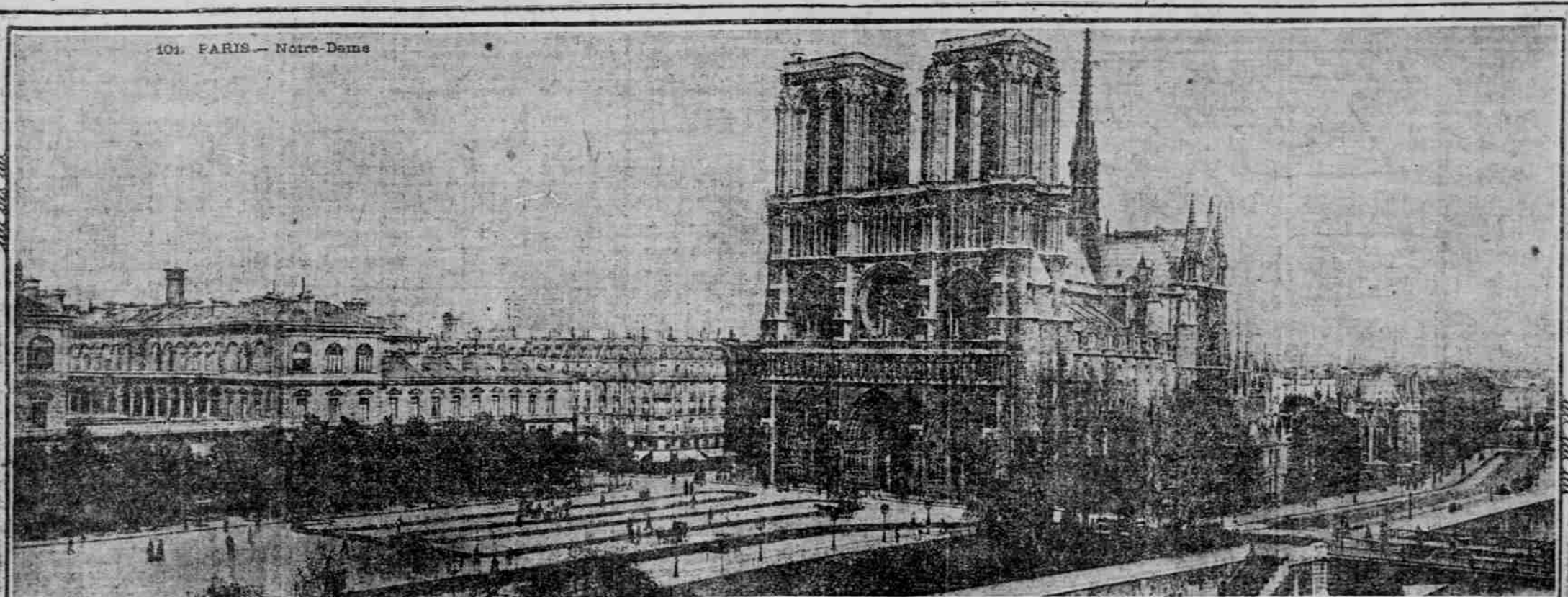
PANHANDLE MURDER CASE IS CALLED FOR TRIAL
Amarillo, Tex., Jan. 31.—Case against John Williams, charged with the murder of John Armstrong, foreman of the XII ranch near Brown, Nov. 17, 1901, was called this morning before Judge Browning in the 47th district court. At the first trial in Randall county the jury disagreed and the case was transferred here.

Last we forget let's keep our money at home and still get the best. Globe Flour.

BOWMAN'S BANK
Established 1884
OLDEST AND STRONGEST
IN DONA ANA COUNTY
Las Cruces New Mexico

First National Bank
LAS CRUCES, N. M.
TRANSACTS A GENERAL BANKING BUSINESS
AND SOLICITS YOUR PATRONAGE
OSCAR C. SNOW, Pres. CAPT. S. J. WOODHULL, V. Pres. and Cash.
ROBERT DROSS, Asst. Cashier.

THE FRENCH FLOODS ENTERED ALL THESE BUILDINGS



CATHEDRAL OF NOTRE DAME AND SUBMERGED PLAZA

LAS CRUCES AND MESILLA VALLEY

HERALD ON SALE IN LAS CRUCES, N. M.
Frank A. Hawley, Agent, opposite postoffice.
Daily Herald on sale by Las Cruces Drug Co., Caspense's News Stand, opposite postoffice.

FRESHMEN LOSE BASKETBALL GAME

New Men at A. & M. School Make Good Showing. College Notes.

Agricultural College, N. M., Jan. 31.—In a good clean game of snappy basketball the quintet representing the preparatory department defeated the freshman team by the score of 21 to 16. A good crowd was in attendance and the cheering from the side lines was equally divided.

The first half ended with the score 9 to 7 in favor of the freshmen. The "12" team was composed entirely of new men while on the "prep" team were two men who have played positions with the "varsity" five. This gave them a decided advantage in the second half. In the early part of the second half the "preps" tied the score. Then the freshmen got a burst of speed and took the lead by three points. This they held until the last five minutes of play. The "preps" rallied and not only overcame their opponents' lead, but managed to end the game five points ahead.

The lineup for the two teams was as follows: Freshmen—H. Smith, center; C. Clay, J. Kaur, forwards; C. Briggs, H. Floyd, guards. Referee—Hagart. Time—Halves—20 minutes. The work of Harrison and Blain at guard was good, and to them is given the credit of winning the game.

For the freshmen, Clay was the individual star. The local athletic association is heartily in favor of and is boosting the Southwestern Amateur Athletic association, which has been formed with El Paso as a center, and in the interests of clean amateur athletics. Following the basketball game Saturday evening, the floor was cleared and a dance was given. Only eight dances were allowed.

LAS CRUCES DAILY RECORD.

Deaths Filed.
Las Cruces, N. M., Jan. 31.—The following deaths and other papers of record have been filed with the recorder of Dona Ana county.

Don A. Bjerregaard to Benjamin T. Link, warranty deed to a tract of land situated about 2 1/2 miles north from Las Cruces, area 254-1-4 by 550 yards; consideration \$2200. Dated Jan. 28, 1910.

Elmer E. Bradford et ux to B. T. Link, warranty deed to a tract of land situated about four miles north of Las Cruces, containing 20.22 acres; consideration \$4000. Dated Jan. 23, 1910.

James T. Smith to Luther Jividen, warranty deed to lots 26 in block 1 of Sunny Slope addition; consideration \$1

and other valuables. Dated Jan. 17, 1910.

A. & M. GIRLS WIN FROM SILVER CITY

Freshmen Win Debate Over Juniors on the Tariff Question.

Agricultural College, N. M., Jan. 31.—The girls' basketball team has returned from Silver City, where they defeated the Normal school girls by the score of 14 to 11. The game was very exciting and at no time in the game did either side have the advantage. The question was "Resolved, The best ever played in their city. The first half ended 10 to 9 with the big side to Silver City, but in the second half the college girls allowed their opponents to score only one point while they were making five and winning the game."

The freshmen have again stepped into the limelight. This time they defeated the junior class in debate. The teams were composed of Briggs, Ewing and Poe, for the freshmen, and McCowen, Hermann and Mayer, for the juniors. The question was "Resolved, That the best interests of the United States require the discontinuance of the protective tariff policy."

At Saturday night's meeting of the Current Topics club, in Hadley hall, Leslie Hermann spoke on the "Rotation of Crops." Miss Anna Shindler, of El Paso, is spending a few days at the college. Sam Bausman went to El Paso Saturday to visit the Y. M. C. A. forum meeting.

Walter Adams has withdrawn from school and gone to Oklahoma, Ia., to accept a position on a dairy farm. Dr. MacArthur's bible class at the Y. M. C. A. was given a test on the Acts of the Apostles on Sunday morning. Prizes were awarded for the best papers.

ANTHONY NEWS NOTES AND VICINITY PERSONALS.
Anthony, N. M., Jan. 31.—There was a large attendance at the dance in celebration of the new railroad station. Guests were from La Mesa, Berino and Chamberline. Refreshments were served and a good time enjoyed.

Rev. Mr. Burns, of La Mesa, conducted the church service Sunday afternoon. Rev. Mr. Bond, of El Paso, will have charge of the service next Sunday.

Will King, while crossing the ford in the river Sunday, got stuck and was obliged to leave his wagon. Attempts will be made to get it out. At the recent Lyceum meeting a committee of two was elected to assist the school teacher in preparing a celebration of the birthdays of Washington and Lincoln.

Invitation have been issued for a card party to be given by Miss Lora Story Thursday evening. Mrs. Leo Perlet were Sunday visitors at the T. A. Perlet ranch. Mr. Ellsworth and wife and J. B. Brinkley were recent guests of Mr. and Mrs. W. B. Carroll.

Miss Bailey and Mrs. Eighty, of La Union, were in Anthony Sunday. James Edwards, teacher at Anthony, who took the examinations at Las Cruces recently, has received a first grade certificate from the territorial school board.

LAS CRUCES HOTEL ARRIVALS.
Las Cruces, N. M., Jan. 31.—The following guests are registered at the Hotel Bernardo: C. E. Jones, Denver; Chas. Atchinson, Denver; Thos. Q. Atkins, Denver; J. L. Law, El Paso; Stewart Bemster, Leavenworth, Kansas; F. Butler, Denver; B. F. Panky, Larny, N. M.; C. M. Wardley, St. Louis; Louis Gendrop, J. P. Cochar, M. McAskill, Anasacito Sanbram, Pilar Larona, El Estero, Grondo, Maximino Navarres, Marques River, Anacleto River, Sebastian Antbreno, Pedro Mendoza, Apolonio Rodriguez, Ignacio Abalos, Antonio Rodriguez, Reyes S. Briserio, R. G. de Martinez, Alberto Lucero, Jesus Lucero, Pascillano Lucero, Ricardo Sanchez, Max Dawentaff and Mrs. Rose Dawentaff, of El Paso, Texas.

OPEN HOUSE AT COLLEGE.
Las Cruces, N. M., Jan. 31.—The department of household economics of the college has sent out invitations to the women of the surrounding vicinity, announcing an open house in its quarters, in the basement of Hadley hall, on Thursday, Feb. 2.

S. S. CARPENTER ON STAND IN HIS BEHALF TODAY IN MURDER TRIAL

(Continued From Page One.)

cant land on the east. Beyond that is the Simpson ranch. In June, 1909, I was delivering some cattle to the Carpenter ranch. I was in control of the Polvo wells and Colston wells by authority of the owners.

I lived at the Simpson ranch from November, 1907, to July, 1908. Mrs. Simpson and Miss Laura Blevins lived there at the time I was in charge of the cattle for Mr. Rossin. Mr. Simpson and I looked after the cattle and wells. I lived in the ranch house on the Headquarters ranch.

The Simpson ranch comprises 150 to 200 sections; there are three permanent wells. It runs to the river south of the railroad. There were no division fences through it. I judge there were five sections in the house pasture north and west of the house. The main gate to this is through the corral.

June 1, 1909, I was at the Ardoin ranch. On June 2 I was at the Polvo wells and did not go to the Headquarters ranch. I spent the night of June 2 at the Polvo wells with Otis Gans. Tom Snellgrove, a Mexican and Kent Stein, a Mexican, were with me.

When I was talking to Simpson about the cattle I could not see any of our cattle. I had been informed that they were there. Simpson nodded backward toward the house to the north. His hands were apparently down by his sides.

"Simpson Looked Crazy."
He had on a black hat and a jumper. When I saw him with his gun pointed toward me he had the appearance of a crazy man. I had seen him two or three months before that on the train, in El Paso, at Midland and in Fort Worth.

W. A. Lodge worked for me. About April 2, I told him to go and pick up what cattle he could find. I think he took them to the Simpson ranch. I had a man stationed at the Polvo wells and no one ever bothered him. I was not expecting trouble with Simpson. When I went to his place, I did not know that I would find him there and did not expect any controversy. When I went by Snellgrove I did not throw down a pistol. I did not have two sixshooters. Snellgrove did not hand me anything while in the small corral, but while in the large corral he handed me a drink of water.

Not a Family Man.
Simpson did not have his hands up when I fired the first shot. I was probably three feet above him. His body from the waist down was hidden from view by the second shot. Simpson started to go back. I am not a family man, I am single.

I was a deputy sheriff the day of the killing and had been one for about a year and a half or two years. I did not expect Snellgrove to go to the station or come to town. I rode to Clint's horseback, bringing Stein with me and there met Snellgrove and Otis Gans. They were on the train. I did not tell them to come to town. I did not bring Stein for the purpose of testifying. I surrendered myself to Deputy Greet.

Carpenter then indicated on a map drawn by Mr. Robinson, the positions occupied by the various persons in the tragedy.

Cross Examination.
At 11:05 the witness was turned over to the prosecution, attorney Moore asking why the pictures had been taken and he said they were taken to show whether or not Simpson could be seen from the house.

Mr. Stein, Dr. Carpenter and Chas. Leavell married sister. I do not know if I would admit that I had entered a conspiracy to murder Simpson if I had done such a thing. I think a man that would enter such a conspiracy should be hung.

There were 1200 or 1500 head of cattle on the Simpson ranch. I do not know of any cattle being there that were not mortgaged.

There were never five milch cattle there that I know of. I left some cows there for Mrs. Simpson, but not as empty property. There were some other cattle that were not included in the mortgage. I had several executions issued. I gave my men instructions to take all the cattle under this mortgage.

Claimed Simpson's Home.
I had an execution issued and levied on the home place of Simpson, and I would not give up possession of it. I claimed the land under the sheriff's sale. He was still living on that place. I knew the jury had given him judgment in the suit. Yes, I knew Simpson had sued me at Midland for \$43,000.

I don't know whether we took all the horses and cattle we could get or not. We did not clean up all the cows we could get.

There was no mortgage on the cattle, on the ranch or on the bulls. We had executions issued on these. Mr. Simpson was manager in charge of the ranch.

I understood that Simpson sued me for damages, but I do not know who the charge was except that it had

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I understood that Simpson sued me for damages, but I do not know who the charge was except that it had

something to do with cattle. That suit was pending at the time of the killing. I don't think there was anyone outside of myself and Simpson knew what cattle were on the range. I do not know if anyone else knew what the brands were on the cattle I had driven off.

I was in charge by an agreement made in 1907. At the time of the killing I was not in charge. I don't suppose I had any authority there. I don't remember having asked for a writ of possession to the ranch.

Visited Ranch After Killing.
The first time I went down to the ranch after the killing Otis Gans was there. Did you know you had some cattle there on June 3? (There he dropped the little manure pile which he had twined in his right hand).

All the conversation that I remember taking place is what I stated on direct examination. There is as much truth in that statement as in any other I have made.

I don't think Simpson told me I could not get those cattle and I don't remember telling him I would get them anyway and I don't remember his telling me that I had better not go through to the horse pasture.

If Simpson had told me I couldn't get those cattle and the killing had come over it I think I would have remembered. I do not know who told me I had better not go through to the horse pasture.

It was several months after the killing before I heard that Simpson would not let the boy with the horses water there. I had not told the boy that I would meet him at the Simpson ranch.

Heard of Firearms.
I heard Tom Snellgrove testify that the boys had told me that Simpson wouldn't let the boy water the horses there.

I had heard Simpson had threatened to kill me. I had met him a number of times after the trial of the case up here. I never let my feelings bother me. Bill Lodge told me a conversation he had with Miss Blevins.

I had not notified Mr. Simpson that I was going up there June 3, but my judgment is that he knew it. My boys had been there a few days before. I didn't know myself that I was going there until the morning of June 1.

I don't know what cattle were there. The question as to whether or not I had any right to any cattle there never entered my mind.

Was Pistol Was Cocked.
When Simpson's pistol was on me it was cocked. I suppose he had his finger on the trigger. I didn't know that his gun was on me until I turned. I ask the jury to believe that after he had his gun on me I turned and ordered him twice to drop his gun and he never shot.

Simpson did not follow me with his gun, but when I turned he still had his gun drawn on me. All the time I saw him he had his gun on me. I think he shot. I shot at him three times. He shot at me I think when my horse wheeled. I thought I heard four shots. I was above the fence where he could have shot me. I probably by my body by trying to kill or disable Simpson.

"THE RACES BRING FINE MEN HERE"
Three of Them Rounded Up in a Hop Joint by the Juarez Police.

There was a big roundup of Americans in Juarez last night. For the second time within a few days the Mexican police decided that there are far too many whores of the pungent hop smoke—too many for the city's welfare.

When the police advanced on the "Puerto Canton," a Chinese rendezvous, located at Calles Ortiz and Mina, they found 10 Americans loitering about the floor. And behold! three of them said they work at the Juarez racetrack. A Chinese clerk, a man named C. A. Jvers, said "three" at the track, and he looked as a jockey should look, too. "Only two were smoking," one of the Americans started to explain.

"Which two?" he was asked. "Two Chinamen," answered another. But just the same all received a \$10 fine with a 10 days' jail sentence alternative. Here are their names from the official record: H. J. Munnig, Pat Kelly, J. B. Gorman, E. C. Knauer, Leo Long, Dan Danhiork, F. Roy, George Warren and J. C. Brause. All were young men. Some were very well dressed.

There were five other Americans in the police court this morning. One, a negro named Davis, broke the iron crank of a gambling machine in a Calle Comanche and \$5, besides, for being drunk. There were about 30 Mexican prisoners for petty offenses. It all must have been a large night last night.

FROZEN FOODS ARE KEPT FIVE YEARS
(Continued from Page One.)

of apples. The owner told me today he was going to pay the daily wages of one of his men for every barrel of apples sold. He bought the apples for about \$3 a barrel and will sell them for about \$4. Storage charges are 50 cents a barrel, so his profit is \$2.50. It's the same way with those beets, turnips and other vegetables here.

In one of the coldest of the storage rooms, attention was called to barrels filled with turnips.

"They're two years old," the guide said.

"Will they be sold?"

"Sure good as the day they came here."

Neck of Goose Snaps Off.
In another room the reporter saw a barrel packed with geese. While testing the firmness with which the flesh was frozen the neck of a goose was snapped off as if it were a pipestem.

"These geese have seen their second birthday here," the employee remarked, meaning they had been in storage for at least two years.

BANKS TO HELP TO GET THE FLYERS
(Continued From Page One.)

Richard Caples 25
Krausner, Zork & Moyer 25
Guaranty Savings Company 10
W. G. Wally company 10
Carl Kitcher 25
A. P. Coles & Bros. 15
Snyder Jewelry company 10
Pew & Son 10
Harris Krupp 10
El Paso Clearing house 500

Total \$2490
Balance needed \$510

J. C. Lindsey, of Jacksboro, Tex., in the city visiting his daughter, Mrs. W. H. Vance, at 1219 Noble street.